



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,277	11/05/2001	Nancy C. Cheung	100200074-1	6352

7590 07/07/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

ENG, DAVID Y

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/993,277

Applicant(s)

CHEUNG ET AL.

Examiner

DAVID Y. ENG

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claims 1-20 are active.

Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is not seen how the first server would know in what language the user and the personnel are used in communication.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miloslavsky (USP 6,732,156) in view of Tarbotton (USP 6,757,830).

Details of the rejections have already been set forth in the last Office action. The details are incorporated herein by reference thereto.

On pages 5 and 6, Applicants copied portions of the independent claims and concluded that the combination of Miloslavsky and Tarbotton fails to teach or suggest the elements of claims 1 and 15. The Examiner disagrees. As set forth in the last Office action, the combination of Miloslavsky and Tarbotton teaches all the elements of all the claims.

Applicants further contended that Miloslavsky does not teach a plurality of distributed email servers. Note that the plurality of distributed email servers are recited solely for receipt of routed email message. Figure 1 of Miloslavsky clearly shows computers 122 and 124 for receipt of email messages routed by router 116. The computers 122 and 124 may not label in Miloslavsky as email server, however, based

Art Unit: 2155

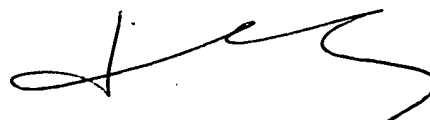
on the claim recitation, computers 122 and 124 certainly qualify to be labeled as email server because they receive email routed by a router. Further, element 128 connecting router 116 and computers 122 and 124 is disclosed by Miloslavsky as network (see the last line of column 4). Obviously, all the elements connected by network 128 could be located in different locations such as different rooms or floors or even different buildings. Further note that routing in Miloslavsky does not require any human intervention. Miloslavsky therefore meets the limitation "autonomous". Therefore, it can be seen that Miloslavsky's computers 122 and 124 meet the limitation of "a plurality of distributed email servers" even without the teaching of the secondary reference Tarbotton.

Now, let us assume that Applicants meant to recite that Internet and not LAN is used for delivering the email from the first server to a person of particular language skill (claim 11). The implied limitation could be met by Miloslavsky alone. In lines 1-9 of column 3, Miloslavsky teaches that data network 104 could be a LAN or Internet, that any other data processing devices, such as 106, 108 and 100 can send and receive email to/from each other. What Miloslavsky does not show is that all devices require mail server in order to connect to Internet. It is well known and Tarbotton teaches that mail server is required for transceiving email through Internet. See Figure 1 in Tarbotton. If the personnel are geographically located in different areas, it would have been obvious to use Internet for transceiving email as taught by Miloslavsky in lines 1-9 of column 3. It would have been notoriously obvious to a person of ordinary skill in the art to connect to Internet via mail server as taught by Tarbotton because otherwise it would be unable to receive or transmit email via Internet.

Art Unit: 2155

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

A handwritten signature in black ink, appearing to read 'David Y. Eng', with a stylized, sweeping flourish at the end.

DAVID Y. ENG
PRIMARY EXAMINER